

IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

CIVIL SECOND APPEAL No. 431 of 2005

KUNJ BIHARI & ORS
V/S
SATYANARAYAN & ORS

Mr. BN KALLA, for the appellant / petitioner

Date of Order : 18.10.2006

HON'BLE SHRI N P GUPTA, J.

ORDER

Heard learned counsel for the appellant.

The appellant as D.W.1 himself has admitted that the defendants have 1/3rd share, while the plaintiff has 2/3rd share of worship and offerings. He has also admitted that the plaintiff is entitled to remove the cabin placed by the defendant on the Chabutara of the temple. Learned counsel read to me the statement of D.W.1, and I find that there in these admissions had been made. On the basis of these admissions, it cannot be said that the learned Courts below were in error in passing the impugned decrees.

The appeal thus has no force and is dismissed summarily.

(N P GUPTA), J.

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